

Eco-Sensitive Zones (ESZ)

The Supreme Court of India, in April 2023, revised its 2022 mandate, which required the establishment of an eco-sensitive zone of at least 1 kilometre around national parks or wildlife sanctuaries.

Eco-Sensitive Zones - ESZ is fragile areas around protected areas declared by the Ministry of Environment, Forest, and Climate Change (MoEFCC).

The topic holds relevance from the current affairs or general awareness point of view of various competitive exams as well as the [IAS exam](#).

Eco-Sensitive Zones - Why in the News?

Controversy over proposed ESZ around Wayanad wildlife sanctuary in Kerala.

1. What happened?

- On January 28, the MoEFCC published a draft notification to declare an Eco-Sensitive Zone (ESZ) of 118.59 sq km around the Wayanad Wildlife Sanctuary in Kerala.

2. View of Government:

- State Government is of the view that densely populated areas should be excluded while measuring for Eco-sensitive zones, hence, it wants the measuring to be 88.2 sq km around the Wayanad Wildlife Sanctuary.

3. Concerns of Farmers:

- The lives of thousands of farmers on the sanctuary fringes, spread over six villages, would be badly affected.
- Also, the farmers would not be able to use their land and trees planted without the permission of forest officials.
- Construction of roads, houses and all other development activities in the Eco-Sensitive Zones would be affected.

What are Eco-Sensitive Zones?

1. Eco-Sensitive Zones (ESZs) are also known as Ecologically Fragile Areas (EFAs).
2. Eco-sensitive zones are areas notified by the MoEFCC around Protected Areas, National Parks and Wildlife Sanctuaries.
3. The purpose of declaring ESZs is to create some kind of “shock absorbers” to the protected areas by regulating and managing the activities around such areas.
4. As per the [National Board for Wildlife NBWL](#), the delineation of eco-sensitive zones have to be site-specific, and the activities should be regulative in nature and not prohibitive unless required.

5. The basic aim is to regulate certain activities around National Parks and Wildlife Sanctuaries to minimize the negative impacts of such activities on the fragile ecosystem encompassing the protected areas.
6. They also act as a transition zone from areas of high protection to areas involving lesser protection.

Eco-Sensitive Zones Background

1. [National Wildlife Action Plan NWAP 2002-2016](#) indicates that the area outside protected areas networks are vital ecological corridor links and must be protected to prevent the isolation of fragments of [biodiversity](#) which will not survive in the long run.
2. Section 3 of the Environment protection rules gives power to the Central Government i.e. the Union Ministry of Environment and Forests to take all measures that it feels are necessary for protecting and improving the quality of the environment and to prevent and control environmental pollution.
3. However, the Environment (Protection) Act, 1986 does not mention the word “Eco-Sensitive Zones”.
4. Besides, Rule 5(1) of the [Environment \(Protection\) Act 1986 \(EPA\)](#) states that the central government can prohibit or restrict the location of industries and carry on certain operations or processes on the basis of certain considerations.
5. To meet this objective, the government can restrict areas in which any industries, operations or processes or class of industries, operations or processes shall be/ not be carried out subject to certain safeguards.
6. However, Section 3(2)(v) of the Act, says that the Central Government can restrict areas in which any industries, operations or processes or class of industries, operations or processes shall be carried out or shall not, subject to certain safeguards.
7. Thus, the government came up with the concept of Eco-Sensitive Zones.
8. The same criteria have been used by the government to declare No Development Zones (NDZs).

Extent of Eco-Sensitive Zone

1. An ESZ could go up to 10 kilometres around a protected area, as provided in the Wildlife Conservation Strategy, 2002.
2. In case of places with sensitive corridors, connectivity and ecologically important patches, crucial for landscape linkage, even areas beyond 10 km width can also be included in the eco-sensitive zone.
3. Moreover, even in the context of a particular Protected Area, the distribution of an area of ESZ and the extent of regulation may not be uniform all around, and it could be of variable width and extent.

Eco-Sensitive Zones - ESZ Significance

- Areas declared as Eco-Sensitive Zone would minimize the impact of [urbanisation](#) and other developmental activities.
- The protected areas are based on the core and buffer model of management, through which local area communities are also protected and benefitted.
- The Eco-sensitive zones around protected areas, wildlife sanctuaries and national parks create some kind of 'Shock Absorber'.
- ESZs help in in-situ conservation, which deals with the conservation of an endangered species in its natural habitat, for example, the conservation of the One-horned Rhino of [Kaziranga National Park](#), Assam.
- Eco-Sensitive Zones minimize forest depletion and man-animal conflict.

Earlier 2022 Supreme Court order and concerns related to the eco-sensitive zones:

- The earlier 2022 Supreme Court order mandated a minimum 1 km eco-sensitive zone around national parks or wildlife sanctuaries.
- This order raised concerns about human habitations falling within the proposed eco-sensitive zones.
- The Centre has approached the court seeking modification of some of the previous directions.
- The court's order would have prevented the government from building roads and other important infrastructure in the eco-sensitive zones.
- The order would have also prevented the construction of permanent structures for any purpose, including the reconstruction of houses or basic structures for the improvement of the life of villagers.
- The order would have prevented the Forest Departments from conducting eco-development activities around national parks and sanctuaries, which are required for the protection of wildlife and provision of benefits for local communities.
- The order would have permanently prohibited various regulated and permissible activities, including certain projects of national and strategic importance.
- The order required the permission of the Principal Chief Conservator of Forests for the continuation of existing activities, even for farmers desirous of continuing farming activities.
- The direction was impossible to implement and would have intensified [man-animal conflict](#).

Supreme Court Order on Eco-Sensitive Zones

- **Applicability of the 2022 Order:** The Supreme Court has modified its earlier order and stated that the earlier 2022 order will not apply to areas where the draft or final notifications have been issued by the Ministry of Environment, Forests and Climate Change. It will now also not apply to national parks and sanctuaries located on inter-state borders or sharing common boundaries.

- **No Mining Allowed:** The Court has clarified that no mining will be allowed, either within national parks and sanctuaries or in a 1 km radius.
- **Restrictions on Permanent Structures:** The Court has noted that if the previous order is continued, no permanent structure would be permitted to come up for any purpose in the ESZs. This would impact hundreds of villages situated within the ESZs in the country. Therefore, the Court has modified the order to allow the construction of small structures which are permanent in nature in areas including ESZs.
- **Eco-Development Activities:** The Court has said that if the previous order is not modified, it will be impossible for the Forest Departments to conduct eco-development activities around national parks and sanctuaries. Therefore, the Court has modified the order to allow eco-development activities involving the construction of small permanent structures in areas including ESZs.
- **Regulated and Permissible Activities:** The Court has noted that there are various regulated and permissible activities, as well as certain projects of national and strategic importance, such as the construction of National Highways, Railways, and Defence infrastructure. The Court has modified the previous order to allow such activities to be carried out in the ESZs.
- **Permission for Existing Activities:** The previous order required the permission of the Principal Chief Conservator of Forests (PCCF) of each State or Union Territory even for the continuation of existing activities. The Court has modified the order to make it easier for farmers and others to continue their activities without seeking such permission. The Court has asked the Ministry and State/UT to follow the provisions contained in the guidelines for the declaration of ESZs around National Parks and Wildlife Sanctuaries and also the provisions contained in the ESZs notifications pertaining to the respective Protected Areas with regard to prohibited activities, regulated activities and permissible activities.

Questions like the one given below have been asked in the previous years' question papers:

With reference to 'Eco-Sensitive Zones', which of the following statements is/are correct?

1. Eco-Sensitive Zones are the areas that are declared under the Wildlife (Protection) Act, 1972.
2. The purpose of the declaration of Eco-Sensitive Zones is to prohibit all kinds of human activities, in those zones, except agriculture.

Select the correct answer using the code given below.

1. 1 only
2. 2 only
3. Both 1 and 2
4. **Neither 1 nor 2**